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Interim Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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August 13, 2015

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From: Sachi A. Hamai
Interim Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Legislative Schedule.** An update on the Legislature's summer recess schedule.
- **Pursuit of County Position to Support SB 439 (Allen).** This measure would permit conditional voter registration and provisional voting at satellite offices prior to an election day, and provide for the regulation of electronic poll books and ballot on demand systems. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to allow for the secure and effective use of new technologies available in the field of election administration, **the Sacramento advocates will support SB 439.**
- **Status of County-Advocacy Legislation.**
 - **County-supported AB 265 (Holden)** – related to "Buy Here, Pay Here" car dealers, was signed by the Governor on August 12, 2015.

Legislative Schedule

On August 17, 2015, the Assembly and Senate will reconvene from their summer recess to take action on pending legislation before adjourning the first year of the 2015-16 Legislative Session on September 11, 2015. The Legislature will also consider measures related to the Special Sessions on transportation and health care financing.

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Pursuit of County Position on Legislation

SB 439 (Allen), which as amended on June 11, 2015, would permit conditional voter registration and provisional voting at satellite offices prior to an election day, and provide for the regulation of electronic poll books and ballot on demand systems.

Under current law, a county elections official may offer conditional voter registration and provisional voting on an election day. An election's official must currently provide precinct officers a printed index of all registered voters in a precinct. Existing law provides that a voter may only vote at his or her assigned precinct. An electronic poll book (e-poll book) is an electronic list of registered voters accessed by a poll worker on a laptop or tablet. A ballot on demand (BOD) system is an on-site custom ballot printer. The Secretary of State does not currently have the authority to regulate e-poll books or BOD systems.

As amended, SB 439 would:

- Permit county elections officials to offer conditional voter registration and provisional voting for two weeks before an election day.
- Direct the Secretary of State to develop standards and regulations governing the certification and use of e-poll books.
- Prohibit the use of e-poll books that are not certified by the Secretary of State.
- Require the Secretary of State to develop standards and regulations governing the manufacture and certification of BOD systems.
- Prohibit the purchase, lease, or use of BOD systems that are not certified by the Secretary of State.

The Registrar-Recorder/County Clerk (RR/CC) indicates that SB 439 would permit voter registration and voting during the two-week period before an election day and establish criteria for the manufacture and use of e-poll books and BOD systems. The RR/CC notes that this would increase opportunities for eligible voters to cast a ballot.

The Registrar-Recorder/County Clerk also reports that SB 439 would establish clear statutory authority and criteria for the use of e-poll books and BOD systems. This would make the voting process more secure and cost-effective, and make the voter experience faster and more convenient. The Department indicates that e-poll books

would provide many benefits and new capabilities as an alternative to paper rosters for voter check-in, including:

- Faster and more accurate voter check-in.
- Poll worker access to the entire California voter database.
- Faster post-election reconciliation of ballots.
- Electronic signature capture.

The Registrar-Recorder/County Clerk notes that BOD printing systems could provide any voter with access to his or her ballot at any voting location. A BOD system could also save County resources by decreasing the number of unused ballots in each election. The RR/CC further notes that SB 439 would reduce administrative barriers to voting, increase voter participation, and compliment the County's Voting System Assessment Project.

This office and the Registrar-Recorder/County Clerk support SB 439. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to allow for the secure and effective use of new technologies available in the field of election administration, **the Sacramento advocates will support SB 439.**

SB 439 is supported by the: California Association of Clerks and Election Officials; California Common Cause; California State Council of the Service Employees International Union; California Public Interest Research Group; and Secretary of State Alex Padilla. There is no registered opposition on file.

SB 439 is scheduled for a hearing in the Assembly Appropriations Committee on August 19, 2015.

Status of County-Advocacy Legislation

County-supported AB 265 (Holden), which as amended on June 23, 2015, would require "Buy Here Pay Here" car dealers to provide a five-day notice to consumers of all weekly payment term contracts and a ten-day notice to consumers on all other contracts, in addition to a final two-day notice, before using a starter interrupt device to remotely disable a car and repossess it, was signed by the Governor on August 12, 2015. This measure is Chapter 179, Statutes of 2015, and it becomes effective January 1, 2016.

Each Supervisor
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We will continue to keep you advised.

SAH:JJ:MR
VE:IGEA:lm

c: All Department Heads
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